

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Hystad Ceynar Minerals, LLC, on behalf)
of itself and a class of similarly situated)
persons,)
Plaintiff,)) **ORDER**
vs.)
XTO Energy, Inc.,)) Case No.: 1:23-cv-030
Defendant.)

On March 18, 2024, Plaintiff filed a “Motion to Amend the March 22, 2023 Scheduling Order.” (Doc. No. 34). It avers that there is good cause to extend the pretrial deadlines due to delays in obtaining discovery from Defendant and has submitted proposed dates.

On April 1, 2024, Defendant filed a response to Plaintiff's motion. (Doc. No. 35). It requests that the court extend the pretrial deadlines approximately eight weeks beyond the dates proposed by Plaintiff in its motion.

On April 5, 2024, Plaintiff filed a reply in which it advises that it does not take issue with the deadlines proposed by Defendant. (Doc. No. 36).

Accordingly, the court **GRANTS** Plaintiff's motion (Doc. No. 34) and **AMENDS** the pretrial deadlines as follows:

- (1) All fact discovery will be completed by the following deadline, with all discovery pursuant to Rules 33, 34, and 36 to be served a minimum of thirty-three (33) days prior to the deadline: September 26, 2024.
- (2) The deadlines for exchanging complete expert witness reports are as follows:

October 10, 2024, for Plaintiff(s);

November 25, 2024, for Defendant; and

December 10, 2024, for any rebuttal experts.

(3) The parties shall have until December 20, 2024, to complete discovery depositions of expert witnesses.

(4) The deadlines for briefing on class certification are as follows:

Plaintiff's motion for class certification: January 13, 2025.

Defendants' response: February 13, 2025; and

Plaintiff's reply: March 3, 2025.

(5) The deadline for all dispositive motions will be 30 days after opt out deadline if class certification is granted.

The final pretrial conference on January 14, 2025, is rescheduled for October 14, 2025, at 9:00 AM by telephone. To participate, the parties should call (877) 810-9415 and enter access code 8992581.

The jury trial set January 27, 2025, shall be reset for October 27, 2025, at 9:00 AM in Bismarck

(Eagle Courtroom) before Judge Hovland. A ten (10) day trial is anticipated.

IT IS SO ORDERED.

Dated this 8th of April, 2024.

/s/ Clare R. Hochhalter

Clare R. Hochhalter, Magistrate Judge
United States District Court